

Judicial Branch Appropriations Bill LSB1108S

Last Action:

Joint Appropriations

Subcommittee

April 12, 2001

AN ACT relating to and making appropriations to the Judicial Branch.



Document On Line

**LEGISLATIVE FISCAL BUREAU
NOTES ON BILLS AND AMENDMENTS (NOBA)**

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EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS

LSB1108S
JUDICIAL BRANCH APPROPRIATIONS BILL

TOTAL FY 2002 APPROPRIATION

- Appropriates a total of \$117.0 million from the General Fund to the Judicial Branch. This is an increase of \$377,000 compared to the FY 2001 estimated net appropriation.

JUDICIAL RETIREMENT SYSTEM

- Decreases the employer's contribution rate to the Judicial Retirement System by \$1.3 million to fund the system at 16.6% of covered payroll. (Page 3, Line 21)

ENHANCED COURT COLLECTIONS
FUND

- Maintains current law by capping the Enhanced Court Collections Fund at \$4.0 million. This is an increase of \$4.0 million from FY 2001.
- Requires the Judicial Branch to transfer to the Justice Data Warehouse \$624,000 and 1.0 FTE position from the Enhanced Court Collections Fund, if General Fund reversions are insufficient. (Page 4, Line 11)

INTENT LANGUAGE AND REQUIRED
REPORTS

- Specifies that the Offices of the Clerks of the District Court operate in all 99 counties and be accessible to the public as much as reasonably possible. (Page 2, Line 13)
- Requires the Judicial Branch to report to the General Assembly in January 1, 2002, regarding the revenues and expenditures for the Enhanced Court Collections Fund and the Court Technology and Modernization Fund. The report shall include revenues and expenditures for FY 2001 and planned expenditures for FY 2002. (Page 3, Line 9)
- Requires the Supreme Court to submit two reports to the Public Defender, the Department of Management, and the LFB. The first report is required to include the amount collected by the Clerks of Court and each Judicial District for indigent defense costs. The report is due January 1, 2002. A quarterly report is also required, concerning the number of criminal and juvenile filings which occur in each Judicial District, to be used to estimate indigent defense costs. (Page 3, Line 31)

LSB1108S

LSB1108S provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
3	21		Nwthstnd	Section 602.9104	Judicial Retirement Fund - Reduces the employer contribution rate from 23.7% to 16.6%.

1 1 Section 1. JUDICIAL BRANCH. There is appropriated from
 1 2 the general fund of the state to the judicial branch for the
 1 3 fiscal year beginning July 1, 2001, and ending June 30, 2002,
 1 4 the following amounts, or so much thereof as is necessary, to
 1 5 be used for the purposes designated:

1 6 For salaries of supreme court justices, appellate court
 1 7 judges, district court judges, district associate judges,
 1 8 judicial magistrates and staff, state court administrator,
 1 9 clerk of the supreme court, district court administrators,
 1 10 clerks of the district court, juvenile court officers, board
 1 11 of law examiners and board of examiners of shorthand reporters
 1 12 and judicial qualifications commission, receipt and
 1 13 disbursement of child support payments, reimbursement of the
 1 14 auditor of state for expenses incurred in completing audits of
 1 15 the offices of the clerks of the district court during the
 1 16 fiscal year beginning July 1, 2001, and maintenance,
 1 17 equipment, and miscellaneous purposes:
 1 18 \$113,792,166

General Fund appropriation to the Judicial Branch for operations.

DETAIL: This is an increase of \$1,878,361 compared to the FY 2001 estimated net appropriation.

1 19 1. The judicial branch, except for purposes of internal
 1 20 processing, shall use the current state budget system, the
 1 21 state payroll system, and the Iowa finance and accounting
 1 22 system in administration of programs and payments for
 1 23 services, and shall not duplicate the state payroll,
 1 24 accounting, and budgeting systems.

Prohibits the Judicial Branch from duplicating current State payroll, budgeting, and accounting systems, except for the implementation of an internal accounting and record keeping system.

1 25 2. The judicial branch shall submit monthly financial
 1 26 statements to the legislative fiscal bureau and the department
 1 27 of management containing all appropriated accounts in the same
 1 28 manner as provided in the monthly financial status reports and
 1 29 personal services usage reports of the department of revenue
 1 30 and finance. The monthly financial statements shall include a
 1 31 comparison of the dollars and percentage spent of budgeted
 1 32 versus actual revenues and expenditures on a cumulative basis

Requires the Judicial Branch to submit monthly financial statements on all appropriated accounts to the Legislative Fiscal Bureau (LFB) and the Department of Management (DOM). Specifies what is to be included in the financial statements.

1 33 for full-time equivalent positions and dollars.

1 34 3. The judicial branch shall continue to assist in the
1 35 development and implementation of a justice data warehouse
2 1 which shall include in the Iowa court information system,
2 2 starting with appointments of counsel made on or after July 1,
2 3 1999, the means to identify any case where the court has
2 4 determined indigence, and whether the case is handled by a
2 5 public defender or other court-appointed counsel.

Requires the Judicial Branch to assist in the development and implementation of the Justice Data Warehouse by sharing information contained in the Iowa Court Information System (ICIS). The shared information shall begin with the appointments of counsel made on or after July 1, 1999, include the means to identify indigence, and information as to whether the public defender or court-appointed counsel handled the case.

2 6 4. Of the funds appropriated in this section, not more
2 7 than \$1,897,728 may be transferred into the revolving fund
2 8 established pursuant to section 602.1302, subsection 3, to be
2 9 used for the payment of jury and witness fees and mileage.

Permits a maximum of \$1,897,728 to be transferred into the Jury Witness Revolving Fund for jury and witness fees and mileage.

2 10 5. The judicial branch shall focus efforts upon the
2 11 collection of delinquent fines, penalties, court costs, fees,
2 12 surcharges, or similar amounts.

Requires the Judicial Branch to focus efforts on collecting delinquent fines and fees.

2 13 6. It is the intent of the general assembly that the
2 14 offices of the clerks of the district court operate in all
2 15 ninety-nine counties and be accessible to the public as much
2 16 as is reasonably possible in order to address the relative
2 17 needs of the citizens of each county.

Specifies that it is the intent of the General Assembly that the Judicial Branch operate the Clerk of Court offices in all 99 counties and ensure the offices are accessible to the public as much as is reasonably possible.

2 18 7. In addition to the requirements for transfers under
2 19 section 8.39, the judicial branch shall not change the
2 20 appropriations from the amounts appropriated to the branch in
2 21 this Act, unless notice of the revisions is given prior to
2 22 their effective date to the legislative fiscal bureau. The
2 23 notice shall include information on the branch's rationale for
2 24 making the changes and details concerning the work load and
2 25 performance measures upon which the changes are based.

Requires the Judicial Branch to notify the LFB prior to any intradepartmental transfer of funds. Specifies the contents of the notice.

2 26 8. The judicial branch shall provide to the co-

2 27 chairpersons and ranking members of the joint appropriations
 2 28 subcommittee on the justice system and to the legislative
 2 29 fiscal bureau by January 15, 2002, an annual report concerning
 2 30 the operation and use of the Iowa court information system and
 2 31 any recommendations to improve the utilization of the system.
 2 32 The annual report shall include information specifying the
 2 33 amounts of fines, surcharges, and court costs collected using
 2 34 the system and how the system is used to improve the
 2 35 collection process. In addition, the judicial branch shall
 3 1 submit a semiannual update to the cochairpersons, ranking
 3 2 members, and the legislative fiscal bureau specifying the
 3 3 amounts of fines, surcharges, and court costs collected using
 3 4 the Iowa court information system since the last report. The
 3 5 judicial branch shall continue to facilitate the sharing of
 3 6 vital sentencing and other information with other state
 3 7 departments and governmental agencies involved in the criminal
 3 8 justice system through the Iowa court information system.

Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB by January 15, 2002, regarding the operation and use of the ICIS and recommendations to improve the system. The report shall include the amounts collected in fines, surcharges, court costs, and how the system improves the collection process. The report will include information regarding the efforts of the Judicial Branch to share the information contained in the ICIS with other State agencies. Requires the Judicial Branch to provide a semi-annual report to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LFB, specifying the amount of fines, surcharges, and court costs collected using the ICIS.

3 9 9. The judicial branch shall provide a report to the
 3 10 general assembly by January 1, 2002, concerning the amounts
 3 11 received and expended from the enhanced court collections fund
 3 12 created in section 602.1304 and the court technology and
 3 13 modernization fund created in section 602.8108, subsection 4,
 3 14 during the fiscal year beginning July 1, 2000, and ending June
 3 15 30, 2001, and the plans for expenditures from each fund during
 3 16 the fiscal year beginning July 1, 2001, and ending June 30,
 3 17 2002.

Requires the Judicial Branch to report to the General Assembly by January 1, 2002, concerning the revenues and expenditures of the Enhanced Court Collections Fund and the Court Technology and Modernization Fund for FY 2001 and plans for expenditures for FY 2002.

3 18 10. The judicial branch shall continue to provide criminal
 3 19 justice data to the department of corrections for use by the
 3 20 Iowa corrections offender network (ICON) data system.

Requires the Judicial Branch to continue to provide criminal justice data to the Department of Corrections for the Iowa Corrections Offender Network (ICON) data system.

3 21 Sec. 2. JUDICIAL RETIREMENT FUND. There is appropriated
 3 22 from the general fund of the state to the judicial retirement
 3 23 fund for the fiscal year beginning July 1, 2001, and ending

General Fund appropriation to the Judicial Branch for the Judicial Retirement Fund.

3 24 June 30, 2002, the following amount, or so much thereof as is
 3 25 necessary, to be used for the purpose designated:
 3 26 Notwithstanding section 602.9104, for the state's
 3 27 contribution to the judicial retirement fund in the amount of
 3 28 16.6 percent of the basic salaries of the judges covered under
 3 29 chapter 602, article 9:
 3 30 \$ 3,207,834

DETAIL: This is a decrease of \$1,291,516 compared to the FY 2001 estimated net appropriation to fund the Judicial Retirement System. The employer contribution for the Judicial Retirement Fund is reduced from 23.7% to 16.6% of covered payroll.

CODE: Notwithstands Section 602.9104, Code of Iowa, for the State's contribution to the judicial retirement fund in the amount of 16.6% of the basic salaries of the judges covered under Chapter 602, Article 9.

3 31 Sec. 3. INDIGENT DEFENSE COSTS. The supreme court shall
 3 32 submit a written report for the preceding fiscal year no later
 3 33 than January 1, 2002, indicating the amounts collected for
 3 34 recovery of indigent defense costs. The report shall include
 3 35 the total amount collected by all courts, as well as the
 4 1 amounts collected by each judicial district. The supreme
 4 2 court shall also submit a written report quarterly indicating
 4 3 the number of criminal and juvenile filings which occur in
 4 4 each judicial district for purposes of estimating indigent
 4 5 defense costs. A copy of each report shall be provided to the
 4 6 public defender, the department of management, and the
 4 7 legislative fiscal bureau. The judicial branch shall continue
 4 8 to assist in the development of an automated data system for
 4 9 use in the sharing of information utilizing the justice data
 4 10 warehouse for legislative and executive branch uses.

Requires the Supreme Court to submit the following two reports to the Public Defender, the DOM, and the LFB:

1. The amount of funds collected by all Clerks of District Court and each Judicial District for the recovery of indigent defense costs. This report must be submitted for FY 2001 no later than January 1, 2002.
2. The actual number of criminal and juvenile filings, in each Judicial District, to be used to estimate indigent defense costs on a quarterly basis.

4 11 Sec. 4. ENHANCED COURT COLLECTIONS FUND -- DISTRIBUTION.
 4 12 Of the moneys collected and deposited in the enhanced court
 4 13 collections fund created in section 602.1304 during the fiscal
 4 14 year beginning July 1, 2001, \$624,000 is appropriated to and
 4 15 shall be expended by the judicial branch for the continued
 4 16 implementation of the justice data warehouse. Of the moneys
 4 17 appropriated in this section, \$60,000 shall be transferred to
 4 18 the division of criminal and juvenile justice planning of the
 4 19 department of human rights for 1.00 FTE to support the justice
 4 20 data warehouse, and \$564,000 shall be transferred to the

Requires the Judicial Branch to continue to assist in providing information for the Justice Data Warehouse Project for use by the Executive and Legislative Branches.

Requires the Judicial Branch to fund up to \$624,000 of the cost of the Justice Data Warehouse. Of these moneys, \$60,000 is to be transferred to the Division of Criminal and Juvenile Justice Planning, Department of Human Rights, for 1.00 FTE position. The remainder (\$564,000) shall be transferred to the Division of Information Technology Department for lease-purchase costs and other related expenses concerning the Justice Data Warehouse. The moneys

4 21 information technology department for lease-purchase costs,
4 22 and other related expenses, concerning the justice data
4 23 warehouse.
4 24 However, the moneys appropriated and transferred pursuant
4 25 to this section shall be reduced to the extent moneys are
4 26 appropriated for the purposes provided in this section to the
4 27 information technology department or the division of criminal
4 28 and juvenile justice planning of the department of human
4 29 rights from moneys made available pursuant to section 8.62.

appropriated by this subsection shall be reduced to the extent that
funds are appropriated for this purpose from General Fund
reversions.

DETAIL: Section 8.62, Code of Iowa, allows that up to 50.0% of
unexpended and unobligated balances can be retained by a

4 30 EXPLANATION

4 31 This bill makes appropriations for the 2001-2002 fiscal
4 32 year to the judicial branch.
4 33 The bill includes a reduction in the percentage of the
4 34 state's contribution to the judicial retirement fund for FY
4 35 2001-2002.
5 1 The bill provides that the judicial branch shall transfer
5 2 certain moneys in the enhanced court collections fund to the
5 3 division of criminal and juvenile justice planning of the
5 4 department of human rights and the information technology
5 5 department for the continued development of the justice data
5 6 warehouse.
5 7 LSB 1108JA 79
5 8 jm/cf/24.2

Summary Data

General Fund

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Justice System	\$ 107,324,220	\$ 112,437,900	\$ 116,623,446	\$ 117,000,000	\$ 376,554	
Grand Total	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	
Operations	\$ 107,324,220	\$ 112,437,900	\$ 116,623,446	\$ 117,000,000	\$ 376,554	
	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	

Justice System

General Fund

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Judicial Branch						
Judicial Branch	\$ 103,196,690	\$ 108,024,912	\$ 111,913,805	\$ 113,792,166	\$ 1,878,361	PG 1 LN 6
Juvenile Vict. Restitution	183,471	210,291	210,291		-210,291	
Judicial Retirement	3,944,059	4,202,697	4,499,350	3,207,834	-1,291,516	PG 3 LN 21
Total Judicial Branch	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	
Total Justice System	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	
Operations	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	
	<u>\$ 107,324,220</u>	<u>\$ 112,437,900</u>	<u>\$ 116,623,446</u>	<u>\$ 117,000,000</u>	<u>\$ 376,554</u>	

Summary Data

Non General Fund

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Justice System	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	
Grand Total	<u>\$ 7,000,000</u>	<u>\$ 6,000,000</u>	<u>\$ 1,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 4,000,000</u>	
Operations	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	
	<u>\$ 7,000,000</u>	<u>\$ 6,000,000</u>	<u>\$ 1,000,000</u>	<u>\$ 5,000,000</u>	<u>\$ 4,000,000</u>	

Justice System

Non General Fund

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Judicial Branch						
Enhanced Court Collect	\$ 6,000,000	\$ 5,000,000	\$ 0	\$ 4,000,000	\$ 4,000,000	Standing
Court Tech & Modern Fund	1,000,000	1,000,000	1,000,000	1,000,000	0	
Total Judicial Branch	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	
Total Justice System	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	
Operations	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	
	\$ 7,000,000	\$ 6,000,000	\$ 1,000,000	\$ 5,000,000	\$ 4,000,000	

Summary Data

FTE

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Justice System	1,999.34	2,047.05	2,091.84	2,091.84	0.00	
Grand Total	1,999.34	2,047.05	2,091.84	2,091.84	0.00	
Operations	1,999.34	2,047.05	2,091.84	2,091.84	0.00	
	1,999.34	2,047.05	2,091.84	2,091.84	0.00	

Justice System

FTE

	Actual FY 1999 (1)	Actual FY 2000 (2)	Estimated Net FY 2001 (3)	Senate Subcom FY 2002 (4)	Senate Sub vs Est FY 2001 (5)	Page & Line Number (6)
Judicial Branch						
Judicial Branch	1,999.34	2,047.05	2,091.84	2,091.84	0.00	PG 1 LN 6
Operations	1,999.34	2,047.05	2,091.84	2,091.84	0.00	
	<u>1,999.34</u>	<u>2,047.05</u>	<u>2,091.84</u>	<u>2,091.84</u>	<u>0.00</u>	